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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,807	11/12/2003	Mark Kiff	5610 6972	
· ·	7590 03/08/2007	EXAMINER		
John E. Vick, Jr. Legal Department, M-495			JUSKA, CHERYL ANN	
PO Box 1926 Spartanburg, SC			ART UNIT	PAPER NUMBER
Spartanourg, SC	. 23304		1771	:
SHORTENED STATUTORY	Y PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE	
2 MON	JTHS	03/08/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary		Application No.	Applicant(s)				
		10/706,807	KIFF, MARK				
		Examiner	Art Unit				
		Cheryl Juska	1771				
Period fo	The MAILING DATE of this communication app or Reply	ears on the cover sheet with the c	orrespondence address				
WHIC - Exter after - If NO - Failu Any r	ORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DANSIONS of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. It is period for reply is specified above, the maximum statutory period were to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 18(a). In no event, however, may a reply be time will apply and will expire SIX (6) MONTHS from a cause the application to become ARANDONE.	l. ely filed the mailing date of this communication.				
Status							
1)	Responsive to communication(s) filed on 03 No	ovember 2006					
		action is non-final.					
·	,—						
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Dispositi	on of Claims	, , , , , , , , , , , , , , , , , , , ,					
		application					
	4) Claim(s) 14-17 and 19-25 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration.						
	Claim(s) is/are allowed.	William Consideration.					
	Claim(s) <u>14-17 and 19-25</u> is/are rejected.						
	Claim(s) is/are objected to.						
	Claim(s) are subject to restriction and/or	election requirement					
		·					
	on Papers						
	The specification is objected to by the Examiner						
	10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.						
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11)[_]	The oath or declaration is objected to by the Exa	aminer. Note the attached Office	Action or form PTO-152.				
Priority u	nder 35 U.S.C. § 119						
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 							
2) 🔲 Notice 3) 🔲 Inform	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO/SB/08) No(s)/Mail Date	4) Interview Summary (Paper No(s)/Mail Dat 5) Notice of Informal Pa 6) Other:	e				

Art Unit: 1771

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Response to Amendment

- 2. Applicant's amendment filed November 3, 2006, has been entered. Claims 14, 16, and 17 have been amended as requested. Claims 1-13 and 18 are cancelled and new claims 22-25 have been added. Thus, the pending claims are 14-17 and 19-25.
- 3. Said amendment is sufficient to overcome the prior art rejection of claim 14 as being anticipated by Child (US 6,494,925) as set forth in section 4 of the Final Rejection mailed 11/21/05. Additionally, said amendment is sufficient to overcome the prior art rejections under 35 USC 103 as set forth in sections 6-8 of the Final Rejection. Specifically, Child and Burns (US 4,353,706) fail to teach or suggest a drying step wherein the fabric is dried without fixing the dye thereto.

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Claim Rejections - 35 USC § 112

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4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

- 5. Claims 14-17 and 19-21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. While the specification teaches the drying step may "employ a drying profile which can be altered to achieve a desired degree of dye fixation," the specification does not provide adequate support for the present claim limitation wherein said drying step is "performed under conditions sufficient to at least partially dry said fabric without fixing a substantial portion of said unfixed dye to said pile of said fabric." Thus, said claims are rejected as containing new matter.
- 6. Claims 22-25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. While the specification teaches the step of providing a fabric having a pile surface, the specification does not provide adequate support for the present claim limitation of "a fabric having a pile on *at least one side* thereof." Thus, said claims are rejected as containing new matter.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Juska whose telephone number is 571-272-1477. The examiner can normally be reached on Monday-Friday 10am-6pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached at 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cj March 3, 2007